

Approved as Submitted: February 2, 2005

**CITY OF MORGAN HILL
SPECIAL CITY COUNCIL MEETING
COYOTE VALLEY SOUTH COUNTY STAKEHOLDERS WORKSHOP
MINUTES – JANUARY 12, 2005**

CALL TO ORDER

Mayor Kennedy called the special meeting to order at 4:34 p.m.

ROLL CALL ATTENDANCE

Present: Council Members Carr, Sellers, Tate and Mayor Kennedy
Absent: Council Member Grzan

DECLARATION OF POSTING OF AGENDA

Office Assistant II Lewis certified that the meeting's agenda was duly noticed and posted in accordance with Government Code 54954.2.

PUBLIC COMMENT

None

City Council Action

WORKSHOP:

1. **WELCOME AND INTRODUCTIONS**

2. **STATUS REPORT ON COYOTE VALLEY SPECIFIC PLAN PROCESS**

Contract Planner David Bischoff discussed the handouts from the recent Coyote Valley Specific Plan, (CVSP), Task Force meeting; including the Progress Report Draft. Contract Planner Bischoff discussed the separate issues of land uses, schools, parks, jobs and housing. He further stated that the Task Force will recommend this plan to the San Jose City Council on January 25, 2005. The City will then prepare an Environmental Impact Report, (EIR) in March of 2006. The City expects to certify the EIR and approve the plan and implementing ordinances. The EIR and ordinances will be based on the alternate land use plan that San Jose is being asked to endorse on January 25th.

Mayor Kennedy pointed out that the CVSP Task Force would be doing the EIR in conjunction with the plan, and that this is unusual. A major amount of money will be spent, and the CVSP Task Force will want San Jose City Council's "buy in" before they undertake the EIR. The progress report summarizes the plan, and nothing has changed since the last South County Stakeholders meeting. Also discussed were agriculture and open space easements and purchases. Mayor Kennedy announced he had attended

the last CVSP Task Force meeting, and heard that development would support infrastructure costs. School issues were not addressed at that meeting. He then asked CVSP Task Force members for input.

Santa Clara County Supervisor Don Gage, CVSP Task Force Member, explained that some future costs are unknown, and a lot of details were not addressed at the meeting.

Russ Danielson, CVSP Task Force Member, relayed that the developers are not afraid of the costs involved. He mentioned that San Jose Mayor Ron Gonzales offered to get together off-line and have some meetings with Morgan Hill Unified School District personnel.

Mayor Kennedy discussed the feeling of land owners in the greenbelt and that they were being ignored in the process.

3. REVIEW OF MAYOR GONZALES' RESPONSE TO STAKEHOLDERS AUGUST 13, 2004 LETTER

Mayor Kennedy provided the history of the letter sent to Mayor Gonzales on behalf of the South County Stakeholders. The first letter was sent on August 13, 2004, and a follow up letter was sent in December, 2004 stating that the City of Morgan Hill and the South County Stakeholders do not support the Coyote Valley plan. A response from Mayor Gonzales was received on December 21, 2004, however direct responses to specific concerns were not addressed. He announced that City Attorney Helene Leichter sent a letter to San Jose City Attorney Richard Doyle on January 7, 2005. They will meet the week of January 17, 2005 to address South County's concerns and start a legal dialogue.

Contract Planner Bischoff reminded the stakeholders group that the San Jose City Council will be meeting on January 25, 2005, and that the committee may want to make a statement prior to that time.

Morgan Hill Unified School District Superintendent Dr. Carolyn McKennan mentioned that she took several CVSP task force members on a tour of some of our local schools.

4. IDENTIFY FUTURE STEPS FOR SOUTH COUNTY AGENCIES

Mayor Kennedy asked the Stakeholders group for ideas on the next steps.

Supervisor Gage encouraged participants to attend the San Jose City Council meeting on January 25, 2005 and to speak about the inadequate response to our letter, as well as South County's concerns about impacts to neighboring cities. He emphasized that South County should get these comments on the record and show we are concerned that there are no solid plans for mitigation of these issues. Mayor Kennedy asked the group to contact San Jose City Council Members on a one-to-one basis to show our concerns. He recommended that teams or individuals meet with San Jose Council members to express their concerns.

Council Member Greg Sellers stated that the stakeholders group has sent mixed signals, and thinks that there needs to be a more direct approach. He suggested that the group not approach these issues gently, because by doing so San Jose will not take the concerns seriously.

Morgan Hill Board of Education Trustee Peter Mandel expressed his concerns that the CVSP Task Force voted unanimously to accept the report, and that the vote sends mixed signals.

Supervisor Gage explained that the acceptance step is necessary to move toward the EIR, so the mitigations will be identified. He wanted to move the acceptance forward so that South County can have a say. If the Task Force had voted not to move forward, the City of San Jose would still proceed. Supervisor Gage pointed out that there is nothing to sue about right now, and further stated that the City of San Jose did not have to form the CVSP task force, because the project is completely within the city limits and they are not obligated to involve neighboring communities.

Contract Planner Bischoff expressed concern that once San Jose accepts the preferred alternative plan, any major changes will be impossible. At that point San Jose won't turn back and make any significant changes.

Supervisor Gage does not believe that talking to San Jose Council Members will be productive, and assured the group that the County will become involved when the EIR process comes out. He attends the CVSP meetings and brings up the issues of parks and roads continuously. He suggested South County Stakeholders get the message across that Mayor Gonzales' letter is inadequate, and that our concerns are not being addressed.

Council Member Carr would like to see the individual agencies that are represented at the stakeholders meeting partner with the County to have a greater impact.

Council Member Sellers agreed that the County should take the lead and that the stakeholders should piggyback on the County's comments to the EIR.

Gavilan College President, Steve Kinsella explained that Gavilan college will move independent of the CVSP process, and is currently working with San Jose's planning staff.

Action: *It was the consensus of the City Council to: **Direct staff to draft talking points to include:** Responses to recent letters have been inadequate; it will be too late to address South County's concerns once the EIR is created; make it clear that South County is not opposed to development, but objects to the density; work with County on legal issues and perhaps call a meeting with legal counsel after the EIR process has begun. Once Stakeholders agree to talking points, they shall begin to contact specific San Jose council members*

FUTURE COUNCIL-INITIATED AGENDA ITEMS

No items were identified.

ADJOURNMENT

There being no further business, Mayor Kennedy adjourned the meeting at 5:50 pm.

MINUTES RECORDED AND PREPARED BY:

LISA LEWIS, OFFICE ASSISTANT II